

REMARKS

A Rule 53(b) Continuation is being filed on even date herewith.

Reconsideration of the application, as amended, is respectfully requested.

Independent claims 11, 12, and 25 have been amended as supported at page 3, second paragraph. As amended, the claims recite that incorporation of the lipophilic flavor into the gelled biopolymer phase facilitates control of flavor release. The specification goes on to explain that flavor release will be strongly influenced by the melting characteristics of the biopolymer.

Heertje US 5,652,011 is cited for its example wherein a flavor is added to a gelled biopolymer. But the Office points to nothing in Heertje to indicate whether that flavor is lipophilic. Nor is it clear that one of ordinary skill would add a lipophilic flavor to a gelled biopolymer. Neither is it apparent that one of ordinary skill would add a Singer US 5,202,146 flavor system ("elevated" levels of lipophilic flavor in fat globules) to a biopolymer.

In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



Gerard J. McGowan, Jr.
Attorney for Applicant(s)
Reg. No. 29,412

GJM:pod
(201) 840-2297